



COUNTY OF LOS ANGELES
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TO: LORI GLASGOW
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: ROGER H. GRANBO *RHG*
Senior Assistant County Counsel
Executive Office

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Concepcion Sotelo v. Gilbert Vivar Bravo, et al.
Los Angeles Superior Court Case No. BC 526 787

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary, and Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

RHG:scr

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Concepcion Sotelo v. Gilbert Vivar Bravo, et al, Los Angeles Superior Court Case No. BC 526 787 in the amount of \$125,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Public Works – Road Maintenance's budget.

This lawsuit arises from alleged injuries sustained in a rear-end vehicle accident involving an employee of the Department of Public Works.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Concepcion Sotelo v. Gilbert Vivar Bravo, et al.
CASE NUMBER	BC526787
COURT	Los Angeles Superior Court
DATE FILED	November 6, 2013
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 125,000
ATTORNEY FOR PLAINTIFF	Gina Clemow, Esq.
COUNTY COUNSEL ATTORNEY	Brian T. Chu, Principal Deputy County Counsel
NATURE OF CASE	<p>On December 6, 2012, an on-duty Department of Public Works employee, driving a utility truck, rear-ended a BMW sedan, driven by Concepcion Sotelo, that was stopped at the signalized intersection of Beverly Boulevard and Bradshawe Street in the City of Montebello. As a result of the collision, Ms. Sotelo claims she received soft tissue injuries to her neck, back and shoulders, resulting in medical services that included two rotator cuff surgeries. She also claims loss of earnings damages. Ms. Sotelo contends that the Department of Public Works employee was negligent and that the County is vicariously liable for his negligence.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$125,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 151,512
PAID COSTS, TO DATE	\$ 116,748



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	December 6, 2012
Briefly provide a description of the incident/event:	Ms. Conception Sotelo states that on December 6, 2012, she was traveling on Beverly Boulevard at or near the intersection of Bradshaw Avenue, when she was rear-ended by a County vehicle.

1. Briefly describe the root cause(s) of the claim/lawsuit:

The rear-end collision occurred due to inattention.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The employee, appeared before the Public Works Automotive Safety Committee on February 14, 2013
The incident was deemed preventable and disciplinary action was taken.

3. Are the corrective actions addressing department-wide system issues?

- ☐ Yes - The corrective actions address department-wide system issues.
☒ No - The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)
Michael J. Hays

Signature:

Michael J. Hays

Date:

5/23/16

GW. Name: (Department Head)
Gail Farber

Signature:

Gail Farber

Date:

6-16-16

County of Los Angeles
Summary Corrective Action Plan

Chief Executive Office Risk Management Inspector General USE ONLY

Are the corrective actions applicable to other departments within the County?

- ☒ Yes, the corrective actions potentially have County-wide applicability.
☐ No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)

Destiny Castro
Signature:

Destiny Castro

Date:

5/25/2016

MH:rb
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